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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,839	02/25/2002	Hiroharu Takahashi	03500.016228	4333
5514	7590	10/07/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			TRAN, PHILIP B	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,839

Applicant(s)

TAKAHASHI, HIROHARU

Examiner

Philip B. Tran

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,10-21,23-25 and 27-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-8, 10-21, 23-25 and 27-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to amendment filed on 07/05/2005. Claims 2, 9, 22 and 26 have been canceled. Therefore, claims 1, 3-8, 10-21, 23-25 and 27-30 are pending and presented for further examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claim 1, 3-5, 7, 10-21, 23-25 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yanagidaira, U.S. Pat. No. 6,490,052.

Regarding claim 1, Yanagidaira teaches a network interface apparatus which is connected to an image processing apparatus and communicates with an external apparatus, comprising:

a providing unit adapted to provide display data necessary for constructing a picture plane for displaying or setting apparatus information of the image processing apparatus to the external apparatus (= main control unit 1 in connection with web server unit 11) [see Fig. 1 and Abstract];

a holding unit adapted to hold language information indicative of a selected language among a plurality of kinds of languages (= database 6) [see Fig. 1]; and

a data obtaining unit adapted to obtain the display data from the image processing apparatus if the display data necessary for constructing the picture plane depends on an apparatus type of the image processing apparatus and obtaining the display data from said network interface apparatus if the display data necessary for constructing the picture plane does not depend on the apparatus type of the image processing apparatus (= main controller 1 manages frames data for constructing images) [see Col. 6, Lines 8-52],

wherein said providing unit provides the display data corresponding to the language indicated by the language information held by said holding unit to the external apparatus (= sending to the web server 11 and transferring to the browser 12 for displaying) [see Fig. 1 and Col. 5, Lines 29-65].

Yanagidaira does not explicitly teach data obtaining unit obtains the display data corresponding to the language indicated by the language information held by said

holding means from the image processing apparatus. However, it would have been obvious to one of skilled in the art at the time of the invention was made to have a selection display including a variety of language options indicated by the language information held by said holding means from the image processing apparatus for setting purposes.

Regarding claim 3, Yanagidaira further teaches an apparatus according to claim 1, wherein said providing means provides the display data in which a picture plane for selecting the language has been described, and said holding unit holds the language information indicative of the language selected on said picture plane [see Col. 5, Lines 9-34].

Regarding claim 4, Yanagidaira further teaches an apparatus according to claim 1, wherein said providing unit provides the display data by using an HTTP (Hyper Text Transfer Protocol), and wherein said data obtaining unit discriminates whether the requested data is type-dependent data which depends on the apparatus type of the image processing apparatus or type-independent data on the basis of a URL (Uniform Resource Locator) of the requested data, obtains the type-dependent data from the image processing apparatus if the requested data is the type-dependent data, and obtains the type-independent data from said network interface apparatus if the requested data is the type-independent data [see Col. 5, Line 35 to Col. 6, Line 66].

Regarding claim 5, Yanagidaira further teaches an apparatus according to claim 1, wherein the picture plane displays information regarding a paper feed, information regarding a paper delivery, and error information [see Fig. 9 and].

Regarding claim 7, Yanagidaira further teaches an apparatus according to claim 1, wherein the image processing apparatus is a printer and said network interface apparatus is a network card which can be connected to a plurality of kinds of printers [see Fig. 1].

Claim 8 is rejected under the same rationale set forth above to claim 1. In addition, Yanagidaira further teaches obtaining means for obtaining shipping destination information showing to which place said image processing apparatus is shipped (= web server 11 receives URL request from the browser for sending printer settings information to display) [see Col. 7, Lines 12-47].

Regarding claim 10, Yanagidaira further teaches an apparatus according to claim 8, wherein said obtaining unit requests the shipping destination information from the image processing apparatus [see Fig. 1].

Claim 11 is rejected under the same rationale set forth above to claim 4.

Claim 12 is rejected under the same rationale set forth above to claim 5.

Claim 14 is rejected under the same rationale set forth above to claim 7.

Regarding claim 15, Yanagidaira further teaches an image processing apparatus which is connected to a network interface apparatus for controlling data communication with an external apparatus, comprising:

storing unit adapted to store type-dependent data which depends on a type of said image processing apparatus in display data necessary for constructing a picture plane for displaying or setting apparatus information of said image processing apparatus (= database 6) [see Fig. 1]; and

transfer unit adapted to transfer the type-dependent data stored in said storing unit to the network interface apparatus in accordance with a request from the network interface apparatus (= main control unit 1 in connection with web server unit 11) [see Fig. 1 and Abstract],

wherein the network interface apparatus requests display data in which a picture plane corresponding to a selected language has been described, provides the display data transferred from said image processing apparatus to the external apparatus if the display data necessary for constructing the picture plane is the type-dependent data, and provides display data stored in the network interface apparatus to the external apparatus if the display data necessary for the picture plane is not the type-independent data (= main controller 1 manages frames data for constructing images and sends to the web server 11 and transfers to the browser 12 for displaying) [see Fig. 1 and Col. 5, Lines 29-65 and Col. 6, Lines 8-52].

Regarding claim 16, Yanagidaira further teaches an apparatus according to claim 15, wherein in accordance with the request from the network interface apparatus, said transfer unit transfers the type-dependent data stored corresponding to the selected language in the type-dependent data stored in said storing unit to the network interface apparatus [see Col. 5, Line 35 to Col. 6, Line 52].

Claim 17 is rejected under the same rationale set forth above to claim 7.

Claim 18 is rejected under the same rationale set forth above to claim 15. In addition, Yanagidaira further teaches memory means for storing shipping destination information showing to which place said image processing apparatus is shipped and first transfer means for transferring the shipping destination information stored in said memory means in accordance with a request from said network interface apparatus (= web server 11 receives URL request from the browser and sends it to the main control unit 1 for obtaining printer settings information from the database and then forwards to the browser for displaying) [see Fig. 1 and Abstract and Col. 7, Lines 12-47].

Regarding claim 19, Yanagidaira further teaches an apparatus according to claim 18, wherein said second transfer unit transfers the type-dependent data corresponding to the shipping destination information stored in said memory unit in the type-dependent data stored in said storing unit to said network interface apparatus in accordance with the request from the network interface apparatus [see Col. 5, Line 35 to Col. 6, Line 52].

Claim 20 is rejected under the same rationale set forth above to claim 7.

Claim 21 is rejected under the same rationale set forth above to claim 18. In addition, Yanagidaira further teaches allowing said network interface apparatus to provide display data that is data in which a picture plane for displaying and setting apparatus information of said image processing apparatus has been described and that corresponds to a language shown by held language information [see Fig. 1 and Col. 5, Line 9 to Col. 6, Line 52].

Regarding claim 23, Yanagidaira further teaches a method according to claim 21, wherein said network interface apparatus provides the display data in which a picture plane for selecting the language has been described and holds the language information showing the language selected on said picture plane [see Fig. 8].

Claim 24 is rejected under the same rationale set forth above to claim 7.

Claim 25 is rejected under the same rationale set forth above to claim 21. In addition, Yanagidaira further teaches allowing said network interface apparatus to provide display data that is data in which a picture plane for displaying and setting apparatus information of said image processing apparatus has been described and that corresponds to shipping destination information showing to which place said image

processing apparatus is shipped (= web server 11 receives URL request from the browser and sends it to the main control unit 1 for obtaining printer settings information from the database and then forwards to the browser for displaying) [see Fig. 1 and Abstract and Col. 7, Lines 12-47].

Regarding claim 27, Yanagidaira further teaches a method according to claim 25, wherein said network interface apparatus requests the shipping destination information from the image processing apparatus [see Fig. 1].

Claim 28 is rejected under the same rationale set forth above to claim 7.

Claim 29 is rejected under the same rationale set forth above to claim 1.

Claim 30 is rejected under the same rationale set forth above to claim 8.

4. Claim 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yanagidaira, U.S. Pat. No. 6,490,052 in view of Teng et al (Hereafter, Teng), U.S. Pat. No. 6,240,456.

Regarding claim 6, Yanagidaira does not explicitly teach an apparatus according to claim 1, wherein said type-dependent data is image data showing an external view of the connected image processing apparatus. However, Teng, in the same field of collecting printer administration endeavor, discloses type-dependent data is image data showing an external view of the connected image processing apparatus (printers) [see Teng, Fig. 13]. It would have been obvious to one of ordinary skill in the art at the time

of the invention was made to incorporate the teaching of Teng into the teaching of Yanagidaira in order to enable the administrator or user to visualize the monitoring devices connected to the network and thus quickly identify the devices with their locations and associated problems.

Claim 13 is rejected under the same rationale set forth above to claim 6.

Conclusion

5. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection.

6. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Philip B. Tran
Art Unit 2155
September 29, 2005